

COMMITTEE ON JUSTICE AND PUBLIC SAFETY
(Standing Committee of Berkeley County Council)

Chairman: Mrs. Judy C. Mims, District No. 6

A meeting of the **COMMITTEE ON JUSTICE AND PUBLIC SAFETY**, Standing Committee of Berkeley County Council, met on **Monday, November 10, 2003**, in the Assembly Room of the Berkeley County Office Building, 223 North Live Oak Drive, Moncks Corner, South Carolina, at 6:00 p.m.

PRESENT: Mrs. Judy C. Mims, Council Member District No. 6, Chairman; Mrs. Judith K. Spooner, Council Member District No. 2; Mr. William E. Crosby, Council Member District No. 3; Mr. Dennis L. Fish, Council Member District No. 5; Mr. Caldwell Pinckney, Jr., Council Member District No. 7; Mr. Steve C. Davis, Council Member District No. 8; Mr. James H. Rozier, Jr., Supervisor, ex officio; Mr. D. Mark Stokes, County Attorney, and Ms. Barbara B. Austin, Clerk of County Council. Mr. Milton Farley, Council Member District No. 1, and Mr. Charles E. Davis, Council Member District No. 4, were excused from the meeting.

Pursuant to the Freedom of Information Act, notice of the meeting date, time, place and agenda was posted on the bulletin board at the entrance of the County Office Building, 223 N. Live Oak Drive, Moncks Corner, South Carolina, the Berkeley County Library, and mailed to the newspapers, radio stations, television stations and concerned citizens.

Chairman Mims called the meeting to order. Council Member Spooner gave the invocation, and Council Member Pinckney led in the Pledge of Allegiance to the Flag of the United States of America.

APPROVAL OF MINUTES

Chairman Mims asked for approval of minutes from the Committee on Justice and Public Safety Meeting held October 13, 2003.

It was moved by Council Member Spooner and seconded by Council Member Pinckney to approve the minutes as presented. This motion was passed by unanimous voice vote of the Committee.

Supervisor Rozier recommended that the Committee recess until County Attorney Mark Stokes could arrive. With no objection, the Committee on Justice and Public Safety recessed at 6:08 p.m., and reconvened at 6:50 p.m.

It was moved by Council Member Spooner and seconded by Council Member Fish to enter into Executive Session for the receipt of legal advice where the legal advice relates to a

pending, threatened, or potential claim or other matters covered by the attorney-client privilege. This motion was passed by unanimous voice vote of the Committee.

The Committee entered into Executive Session at 6:51 p.m., and returned to Committee Session at 7:12 p.m.

Mr. Stokes, County Attorney, stated the Committee went into Executive Session for the reason stated in the motion. No formal action was taken.

A. Judge Ava Ayers, Berkeley County Summary Court, Re: 1) Extension of employment for one temporary employee to end of fiscal year; **2)** Convert one temporary employee to full time status; **3)** Change in status of one full time position; **4)** Additional funds for communications line item.

1. Judge Ava Ayers stated Council had earmarked \$17,000 to the debt set-off program. Between bench warrant and debt set-off letters alone, \$41,000 had already been collected. It was anticipated that approximately \$850,000 in additional monies would be received, most probably in June, after individuals had filed their income tax returns. Debt set-off would attach to an individual's income tax. Due to the overall success of this program, Judge Ayers requested approval for one permanent employee for data entry, the extension of service for one temporary employee until June 26th at a salary rate of \$6.00 per hour and a communications line item totaling \$1,258 to increase the speed of data entry.

It was moved by Council Member Crosby and seconded by Council Member Fish to approve Judge Ayers request to extend the service of one temporary employee until the end of fiscal year, at a salary rate of \$6.00 per hour. The motion passed by unanimous voice vote of the Committee.

2. Judge Ayers requested Council's approval of one full time, permanent position for data entry until June 26th to fulfill backlog and current office workloads. With debt set-off, there were over 13,500 names (some associated with large amounts of money) found in accounts receivable. In addition to this workload, the Magistrate's Office handled, on average, 2,500 cases per month.

It was moved by Council Member Crosby and seconded by Council Member Fish to approve Judge Ayers request for one permanent employee (Administrative Clerk 2) for data entry until the end of fiscal year. This motion passed by unanimous voice vote of the Committee.

3. Judge Ayers stated that **Item A-3** was a combination of Item A-1 and Item A-2. There were only two positions involved with her requests, one part time and one full time.

4. Judge Ayers stated up to four minutes in time was needed to enter names into the data system, allowing only 150 name entries per day. The request for \$1,258 in additional funds for communications would speed up lines associated with that data entry.

Supervisor Rozier recommended the additional funds for this communications line item be transferred from a place in Judge Ayers budget, versus those funds being taken from contingency.

Judge Ayers agreed with this recommendation.

Council Member Crosby asked what the total dollar amount associated with debt set-off delinquencies was.

Judge Ayers stated the database reflected a total of \$3,531,894.85 since 1992. In addition to that, there was \$35,798.50 from bondsmen when defendants failed to appear in court. Letters pertaining to assurance had already been mailed to bondsmen, wherein, they would need to produce a defendant or money within approximately 20 days.

Supervisor Rozier congratulated Judge Ayers for her efforts with the debt set-off program. He continued by explaining that Berkeley County taxes paid all the costs of the Magistrate's Court. In August, \$164,665 was collected with debt set-off. Berkeley County only received \$79,412 of that money, with \$85,253 going to the State of South Carolina. The State did not share in the cost of operating the Magistrate's Court. In September, \$156,104 was collected, with the County receiving \$66,849 and the State receiving \$89,255. In October, \$180,702 was collected, and the County was only able to keep \$77,936 (the State received \$102,766). The State's share was from an assessment attached to each fine that was applied to the Magistrate's Court. If a fine only included an assessment, the State would receive all the money associated with that fine.

B. H. Wayne Dewitt, Berkeley County Sheriff, Re: Additional personnel for Department

Chief C.W. Henerey stated the position being requested in the Sheriff's Department was for one deputy sheriff to be assigned solely to the Warrants Division. The request for additional personnel was based on the Chief Magistrate's efforts to collect delinquent fraudulent check and bench warrants. The dollar amount associated with this position was \$22,576 (from December 28th thru June 26th).

It was moved by Council Member Crosby and seconded by Council Member Fish to approve Sheriff DeWitt's request for one additional deputy sheriff (LE-I, PFC), to be assigned to the Warrants Division. The motion was passed by unanimous voice vote of the Committee.

Mr. Rozier requested Judge Ava Ayers to provide monthly recaps of weekly bond hearing reports and Chief C.W. Henerey to provide monthly reports on warrants. The purpose of these requests was to track the benefit of this additional position.

It was moved by Council Member Crosby and seconded by Council Member Spooner to adjourn the Committee on Justice and Public Safety. The motion was passed by unanimous voice vote of the Committee.

Meeting adjourned at 7:21 p.m.

January 12, 2004
Date Approved

COMMITTEE ON JUSTICE AND PUBLIC SAFETY
(Standing Committee of Berkeley County Council)

Chairman: Mrs. Judy C. Mims, District No. 6

Members: Mr. Milton Farley, District No. 1
Mrs. Judith K. Spooner, District No. 2
Mr. William E. Crosby, District No. 3
Mr. Charles E. Davis, District No. 4
Mr. Dennis Fish, District No. 5
Mr. Caldwell Pinckney, Jr. District No. 7
Mr. Steve C. Davis, District No. 8
Mr. James H. Rozier, Jr., Supervisor, ex officio

A **meeting** of the **COMMITTEE ON JUSTICE AND PUBLIC SAFETY**, Standing Committee of Berkeley County Council, will be held on **Monday November 10, 2003**, in the Assembly Room, Berkeley County Office Building, 223 N. Live Oak Drive, Moncks Corner, South Carolina, at **6:00 p.m.**

AGENDA

APPROVAL OF MINUTES

October 13, 2003

A. Judge Ava Ayers, Berkeley County Summary Court, Re:

1. Extension of employment for one temporary employee to end of fiscal year.
2. Convert one temporary employee to full time status.
3. Change in status of one full time position.
4. Additional funds for communications line item.

B. H. Wayne Dewitt, Berkeley County Sheriff, Re: Additional personnel for Department.

November 5, 2003
S/Barbara B. Austin
Clerk of County Council